

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KENNETH HATLEN,

Plaintiff,

v.

GREG COX et al.,

Defendants.

3:14-cv-317-MMD-WGC

**ORDER**

**I. DISCUSSION**

On August 14, 2014, this Court issued a screening order permitting Counts II and III to proceed but dismissing Count I without prejudice with leave to amend. (ECF No. 5 at 8-9). This Court granted Plaintiff 30 days from the date of that order to file an amended complaint curing the deficiencies of Count I. (*Id.* at 9). This Court stated that if Plaintiff chose not to file an amended complaint, the action would proceed on Counts II and III only. (*Id.*).

On August 27, 2014, Plaintiff filed a motion for an extension of time. (ECF No. 7). Plaintiff states that he recently moved from Ely State Prison ("ESP") to High Desert State Prison ("HDSP"). (*Id.* at 1). However, all of Plaintiff's legal documents are being stored at ESP. (*Id.*). Plaintiff states that he will be at HDSP for at least 60 days and requests a 90-day extension to file his amended complaint. (*Id.*). The Court grants Plaintiff's motion for an extension of time to file his amended complaint. Plaintiff shall file his amended complaint on or before Monday, December 1, 2014.

The Court notes that pursuant to Nevada Local Special Rule 2-2, "[t]he plaintiff shall immediately file with the Court written notification of any change of address. The notification must include proof of service upon each opposing party or the party's attorney. Failure to

1 comply with this Rule may result in dismissal of the action with prejudice.” Nev. Loc. Special  
2 R. 2-2. The Court notes that Plaintiff’s motion for an extension of time states that he is no  
3 longer at ESP. However, Plaintiff has not filed a change of address notification with this Court.  
4 The Court grants Plaintiff 30 days from the date of entry of this order to file his updated  
5 address with this Court. If Plaintiff does not update the Court with his current address within  
6 30 days from the date of entry of this order, the Court will dismiss this action with prejudice.

7 **II. CONCLUSION**

8 For the foregoing reasons, IT IS ORDERED that Plaintiff shall file a change of address  
9 notification within 30 days from the date of this order.

10 IT IS FURTHER ORDERED that if Plaintiff fails to file an updated address within 30  
11 days from the date of entry of this order, the Court will dismiss this action with prejudice.

12 IT IS FURTHER ORDERED that the motion for an extension of time (ECF No. 7) is  
13 granted. Plaintiff shall file his amended complaint on or before Monday, December 1, 2014.

14 IT IS FURTHER ORDERED that if Plaintiff fails to file an amended complaint curing the  
15 deficiencies of Count I, as stated in this Court’s screening order (ECF No. 5), this action shall  
16 proceed on Counts II and III only.

17 IT IS FURTHER ORDERED that the Clerk of the Court shall send a copy of this order  
18 to Plaintiff at both the Ely State Prison and High Desert State Prison.

19  
20 DATED: This 2nd day of September, 2014.

21 

22 \_\_\_\_\_  
23 United States Magistrate Judge  
24  
25  
26  
27  
28